

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

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CONTENDER FARMS, L.L.P.; LEE  
McGARTLAND, MIKE McGARTLAND,  
and SHOW, INC.

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
AGRICULTURE,

Defendant.

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) Action No. 4:16-cv-0163-Y  
) Hon. Terry R. Means  
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**DEFENDANT'S MOTION TO SEVER THE CLAIMS OF PLAINTIFF SHOW**  
**(Fed. R. Civ. P. 20 and 21)**

Pursuant to Fed. R. Civ. P. 20 and 21, defendant the United States Department of Agriculture (USDA) moves that the Court sever the claims of plaintiff SHOW, Inc. from this lawsuit due to misjoinder. USDA submits herewith a supporting memorandum.

WHEREFORE, USDA requests that the Court sever the claims of SHOW against USDA from this action pursuant to Fed. R. Civ. P. 20 and 21; that the other plaintiffs, Mike and Lee McGartland and Contender Farms, L.L.P., be required to file a further amended complaint that is limited to their allegations and claims; and that USDA be allowed thirty days to answer, move under Rule 12, or otherwise response to such amended pleading.

DATED: April 18, 2016

Respectfully submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General

SARAH R. SALDAÑA  
United States Attorney

ERIC WOMACK  
Assistant Director

/s/ Peter T. Wechsler  
PETER T. WECHSLER (MA Bar)  
Senior Counsel  
NATAHN M. SWINTON (NY Bar)  
Trial Counsel  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, N.W.  
Washington, D.C. 20530  
Tel.: (202) 514-2705  
Fax: (202) 616-8470  
Email: peter.wechsler@usdoj.gov  
Counsel for Federal Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on April 18, 2016, I electronically filed the foregoing Motion with the Clerk of the Court using the ECF system which sent notification of such filing to plaintiffs' counsel, Karin Cagle, at [kcaglelaw@gmail.com](mailto:kcaglelaw@gmail.com), and David Broiles, at [davidbroiles@gmail.com](mailto:davidbroiles@gmail.com).

/s/ Peter T. Wechsler  
PETER T. WECHSLER  
United States Department of Justice  
Civil Division, Federal Programs Branch  
Email: peter.wechsler@usdoj.gov